

## Message Text

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TO SECSTATE WASHDC 1691

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C O N F I D E N T I A L DACCA 4201

E.O. 11652: GDS

TAGS: PINS, BG, NL

SUBJECT: DUTCH JOURNALIST PETER CUSTERS

REF: (A) STATE 200477 (NOTAL); (B) DACCA 3400 (NOTAL);  
(C) DACCA 3652 (NOTAL)

1. OUR FOLLOWING REPLY BY LETTER ON AUGUST 10 TO INQUIRY FROM  
SENATOR J. GLENN BEALL, MARYLAND, COVERS LATEST INFORMATION ON  
CUSTERS CASE:

QUOTE MR. PETER CUSTERS, THE DUTCH NATIONAL ABOUT WHOM  
YOU INQUIRED IN YOUR LETTER OF JULY 26, AND 16 BANGLADESHIS  
HAVE BEEN CHARGED BY THE GOVERNMENT OF BANGLADESH WITH  
CONSPIRING TO OVERTHROW THE GOVERNMENT THROUGH VIOLENT  
MEANS AND OF INDULGING IN "OTHER ANTI-STATE ACTIVITIES."  
ACCORDING TO AN ARTICLE AUGUST 8 BY THE GOVERNMENT-OWNED  
NEWS AGENCY, THE CASE WILL BE TRIED BY A SPECIAL MARTIAL  
LAW COURT. YOU MAY BE INTERESTED IN THE ENCLOSED ACCOUNTS  
OF MR. CUSTERS' DETENTION IN THE JULY 2 AND JULY 30 EDI-  
TIONS OF THE FAR EASTERN ECONOMIC REVIEW.

THE ROYAL NETHERLANDS EMBASSY IN DACCA HAS BEEN  
FULLY APPRISED OF THE CASE SINCE MR. CUSTERS' ARREST  
ON DECEMBER 8, 1975, AND HAS BEEN ENDEAVORING TO OBTAIN  
FOR HIM EQUAL TREATMENT UNDER THE LAWS OF BANGLADESH  
AND TO OVERCOME PROCEDURAL AND OTHER DELAYS IN THE  
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PROCESSING OF THE CASE. MR. CUSTERS HAS BEEN RECEIVING

CONSULAR VISITS, HAS HAD ACCESS TO LEGAL COUNSEL OF HIS OWN CHOOSING AND, WE ARE TOLD, HAS BEEN TREATED WELL IN DETENTION. THE CASE HAS RECEIVED WIDE PUBLICITY IN THE NETHERLANDS.

THE ANNOUNCEMENT OF THE CHARGES AGAINST MR. CUSTERS AND THE OTHERS DID NOT INDICATE WHEN THE CASE WILL BE TRIED OR WHETHER IT WILL BE HELD IN PUBLIC OR IN CAMERA. IN OTHER CASES BEFORE MARTIAL LAW COURTS, HOWEVER, THE TRIALS HAVE FOLLOWED FAIRLY PROMPTLY AFTER THE FILING OF THE CHARGES AND EVEN THOUGH MOST OF THE CASES HAVE BEEN OSTENSIBLY PUBLIC, PRESS REPORTING HAS BEEN KEPT TO A MINIMUM. WE WOULD ANTICIPATE THAT MR. CUSTERS' CASE WOULD FOLLOW THE SAME PATTERN. UNQUOTE

2. IN OUR FOLLOWUP CONVERSATION WITH THE DUTCH CHARGE YESTERDAY HE MADE THE ADDITIONAL POINTS: (1) THE TRIAL IS EXPECTED TO BEGIN ON AUGUST 23; (2) THE DEFENSE HAS BEEN PROMISED IT WILL HAVE EVERY OPPORTUNITY TO HANDLE ITS CASE PROPERLY AND WITH ALLOWANCES FOR MARTIAL LAW PROCEDURES. CUSTERS' LAWYER IS REASONABLY OPTIMISTIC THAT THIS WILL BE SO. THIS LATTER OBSERVATION MIGHT HAVE BEEN ENCOURAGED BY RESULTS OF RECENT CONSPIRACY TRIALS IN WHICH THERE WERE ALMOST AS MANY ACQUITTALS AS CONVICTIONS (REF C).  
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